IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH
&
THE HONOURABLE MR. JUSTICE T.R.RAMACHANDRAN NAIR

THURSDAY, THE 23RD AUGUST 2007 / 1ST BHADRA 1929

LA.App..No. 687 of 2000()

LAR.101/1995 of III ADDL.SUB COURT, ERNAKULAM
.....

APPELLANT/RESPONDENT:

STATE OF KERALA

BY GOVERNMENT PLEADER SMT.K.R.DEEPA

RESPONDENT/CLAIMANT:
---

* KUNJALU, S/O.BAVA, IYYARIL HOUSE,
NETTOOR (DIED)

* ADDL.RESPONDENTS 2 TO 7 IMPLEADED:

2. FATHIMA, AGED 57 YEARS, W/O.LATE KUNJALU,
AYYARIL HOUSE, NETTOOR 682 304, MARADU VILLAGE.

3. ABDUL RAHIM, AGED 37 YEARS, S/O.LATE KUNJALU,
AYYARIL HOUSE, NETTOOR 682 304, MARADU

4. SELIM, AGED 35 YEARS, S/O.LATE KUNJALU,
AYYARIL HOUSE, NETTOOR 682 304, MARADU

5. ANSU, AGED 32 YEARS, S/O.LATE KUNJALU,
AYYARIL HOUSE, NETTOOR 682 304, MARADU

6. AFSAL, AGED 29 YEARS, S/O.LATE KUNJALU,
AYYARIL HOUSE, NETTOOR 682 304, MARADU

7. RABIYA, AGED 26 YEARS, D/O.LATE KUNJALU,
AYYARIL HOUSE, NETTOOR 682 304, MARADU

ADDL. RESPONDENTS 2 TO 7 ARE IMPLEADED
AS PER ORDER DATED 23-8-2007 IN I.A.NO.3117/2007

BY ADV. SRI.K.S.BABU
SMT.N.SUDHA
SRI.K.S.BABU
SMT.N.SUDHA
SMT.C.SEENA

THIS LAND ACQUISITION APPEAL HAVING BEEN FINALLY HEARD ON 23/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ORDER ON C.M.P.NO. 1976/2001 IN L.A.A.NO. 687/2000

DISMISSED.

23-8-2007 SD/- KURIAN JOSEPH, JUDGE

SD/- T.R.RAMACHANDRAN NAIR, JUDGE

/ TRUE COPY /

P.S.TO JUDGE

KURIAN JOSEPH & T.R.RAMACHANDRAN NAIR, JJ.

L.A.A.No.687 of 2000

Dated this the 23rd day of August, 2007

JUDGMENT

Kurian Joseph,J.

This appeal is filed against the judgment and decree in L.A.R.No.101/1995 on the file of the III Additional Sub Court, Ernakulam. In view of the judgment in L.A.A.No.657/1999 and connected cases whereby the appeals covered by the common judgment have already been allowed by remitting the matters, this appeal is also allowed for parity of reasons setting aside the judgment and decree in L.A.R.No.101/1995 and remitting the matter to the court below, with liberty to the parties to adduce fresh evidence.

(KURIAN JOSEPH, JUDGE)

(T.R.RAMACHANDRAN NAIR, JUDGE)

ahg.

KURIAN JOSEPH &
T.R.RAMACHANDRAN NAIR, JJ.

L.A.A.No.687 of 2000

JUDGMENT

23rd August, 2007